

WDNR Brownfields Program: Highlights



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Outline

- Financial Incentives
 - Site Assessment Grant
 - Green Space and Public Facilities Grant
 - Other financial incentives
- Brownfields Programs
 - Local Government Unit Exemption
 - Voluntary Party Liability Exemption
- How Do You Choose?



FINANCIAL INCENTIVE\$



Site Assessment Grant (SAG)

- Created in 1999-2001 biennial budget
 - \$1.45 million
- '01-'03 and '03-'05 biennial budgets
 - \$3.4 million, \$1.7 million per year



SAG (cont)

➤ Grant sizes

➤ Small

➤ \$30,000 or less

➤ Large

➤ \$30,001 up to
\$100,000



SAG: What can it do?

Eligible Activities:

- Phase I and phase II environmental assessments
- Site investigation of documented or perceived contamination
- Demolition of structures
- Asbestos abatement (associated with demolition)
- Removal of abandoned containers



More About SAG



Eligibility:

- Person who caused contamination must be unknown, unable to locate or unable to pay
- Facility must meet the criteria of a brownfield.

Applicant:

- Must be a local government
- Must *not* have caused contamination



More About SAG

Requirements:

- 20% match from applicant
 - This includes: cash, in-kind services, funds incurred during grant period by any local government for the site.

Limitation:

- Maximum of 15% of the fund per year to one "community".

SAG Proposed Rule Changes

- Effective next round
- **Proposed** changes are available on the web:
http://dnr.wi.gov/org/aw/rr/wi_regs/index.htm#anchor74198

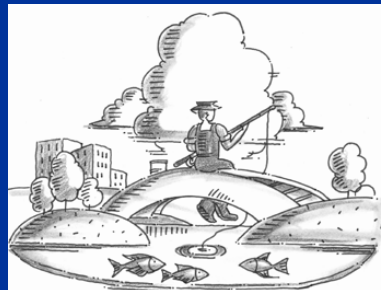
(also found on back table)

- Outreach



Green Space and Public Facilities Grant

- First grants will be awarded soon.
 - Oshkosh and Fond du Lac's grants have been announced.
- The future of the Green Space and Public Facilities Grant will be determined in the 2005-2007 budget biennium.



Other Financial Incentives

- Department of Commerce Brownfield Grants
- ER-TIF
- EPA Grants
- WI Brownfields Coalition
- DNR Land Recycling Loan



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BROWNFIELDS PROGRAMS



Liability Exemption for Local Governmental Units (LGUs)



LGU Liability Exemption: Overview

- Exempts a local government from the legal responsibility to investigate and cleanup environmental contamination generally required by the Spills Law (S. 292.11, Wis. Stats.)
- Local government must meet certain criteria

What is an LGU?

- Cities
- Towns
- Villages
- Counties
- Community development/housing authorities
- Others as specified in statute



LGU Liability Exemption from Wisconsin's Spills Law

- Local government is eligible for the exemption if property acquired "involuntarily" through:
 - Tax delinquency
 - Bankruptcy proceedings
 - Condemnation
 - Eminent domain
 - Escheat
 - Slum clearance or blight elimination
 - Using Stewardship funds
 - From other eligible local government

LGU Liability Exemption: Criteria

- Exemption applies unless a discharge occurs as a result of an action *or* inaction taken by a local government



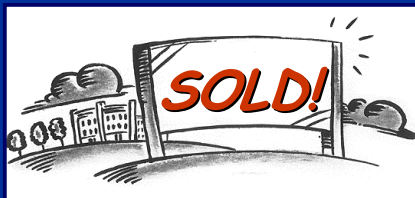
Voluntary Party Liability Exemption Process (VPLE)



VPLE: Overview

- Voluntary Party - ANY entity who submits the application and pays the fees; ownership of property is not a prerequisite
- Voluntary investigation and remediation of a contaminated property
- Certificate of Completion exempts owners from future liability

The Certificate of
Completion is
Transferable



VPLE: What Future Liability?

- No additional work will be required of the voluntary party or future property owners if:
 - environmental standards change
 - the cleanup action fails
 - the contamination that was remediated is discovered to be more extensive than anticipated
- No exemption for new releases occurring after the site investigation is approved

VPLE: Who can apply?

- Individuals, Businesses, and Government Units
 - A contamination must be documented or perceived on the property



VPLE: What are the fee\$?

- Application - \$250/parcel, nonrefundable
- Advance deposit toward DNR project management:
 - \$1000 for parcels ≤ 1 acre
 - \$3000 for parcels >1 acre
- Charges deducted from advanced deposit at a rate of \$75 per hour



How do you choose?

*Contact the DNR
project manager
within your
geographical
area*

We're here to
help!